

Message Text

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ORIGIN L-03

INFO OCT-01 NEA-10 ISO-00 SP-02 H-02 IO-10 OIC-02 DLOS-04

CIAE-00 COME-00 DODE-00 DOTE-00 EB-07 FMC-02 INR-07

NSAE-00 CG-00 OFA-01 ERDA-07 INT-05 CEQ-01 EPA-04

TRSE-00 SS-15 NSC-05 FEA-01 /089 R

DRAFTED BY L/OES:JRCROOK:MERS

APPROVED BY EB/TT/MA - MR. STEINMETZ

NEA/AFN - MS. WEISLOGEL

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FM SECSTATE WASHDC

TO AMEMBASSY ALGIERS

UNCLAS STATE 184570

E.O. 11652: N/A

TAGS: EWWT, AG

SUBJECT: ALGERIAN PRACTICE UNDER 1969 IMCO CIVIL

1. THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR OIL POLLUTION DAMAGE ENTERED INTO FORCE ON JUNE 19. ALGERIA IS A PARTY TO THE CONVENTION. THE U.S. HAS SIGNED, BUT HAS NOT YET RATIFIED THE CONVENTION. IN TRANSMISSION OF RECENT DOMESTIC LEGISLATION ON CIVIL LIABILITY FOR OIL POLLUTION DAMAGE, PRESIDENT FORD URGED EXPEDITIOUS SENATE ACTION ON THE CONVENTION, BUT U.S. RATIFICATION AND IMPLEMENTATION NOT LIKELY UNTIL NEXT YEAR AT EARLIEST.

2. UNDER ARTICLE VII (11) OF THE CONVENTION, CONTRACTING STATES ARE REQUIRED TO ASSURE UNDER THEIR NATIONAL LEGISLATION THAT INSURANCE OR OTHER SECURITY IS IN FORCE WITH RESPECT TO ANY SHIP, WHEREVER REGISTERED, ENTERING OR LEAVING A PORT IN ITS TERRITORY, IF THE SHIP ACTUALLY CARRIES

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MORE THAN 2,000 TONNES OF OIL IN BULK AS CARGO. THE

AMOUNTS OF SUCH SECURITY OR INSURANCE ARE ESTABLISHED BY THE CONVENTION. CONTRACTING STATES ARE REQUIRED TO RECOGNIZE CERTIFICATIONS GIVEN BY OTHER PARTIES TO THEIR OWN SHIPS, BUT, AS NOTED, U.S. IS NOT YET A PARTY TO CONVENTION.

3. AMERICAN INSTITUTE OF MERCHANT SHIPPING HAS INFORMED DEPARTMENT THAT U.S. FLAG TANKER MAY BE PLANNING PORT CALL IN ALGERIA WITHIN NEXT FEW WEEKS. AIMS HAS INQUIRED ABOUT ALGERIAN PROCEDURES UNDER ARTICLE VII (11) FOR CERTIFICATION.

4. (FYI - PRACTICES OF CONTRACTING STATES UNDER ARTICLE VII (11) APPEAR TO VARY CONSIDERABLY. SOME PARTIES WILL RECOGNIZE CERTIFICATIONS GIVEN BY OTHER PARTY STATES, WHILE OTHERS REQUIRE THEIR OWN CERTIFICATION AT TIME OF PORT VISIT BY SHIP OF NON-CONTRACTING STATE.)

5. EMBASSY REQUESTED TO CONTACT APPROPRIATE GOA OFFICIALS AND INQUIRE ABOUT ALGERIAN REGULATIONS AND PRACTICES FOR PORT CERTIFICATION UNDER LIABILITY CONVENTION. EMBASSY REQUESTED TO DETERMINE WHETHER GOA WILL RECOGNIZE CERTIFICATIONS MADE BY OTHER CONTRACTING STATES, AND, IF SO, FROM WHICH STATES. IN ABSENCE OF CERTIFICATION FROM OTHER CONTRACTING STATE, OR IF SUCH CERTIFICATION NOT RECOGNIZED, EMBASSY REQUESTED TO DETERMINE PROCEDURES FOR CERTIFICATION FOR PORT CALL IN ALGERIAN PORT, INCLUDING FEES AND ANY OTHER PERTINENT INFORMATION.

6. TO BE OF GREATEST ASSISTANCE, EARLY REPORT WOULD BE APPRECIATED. KISSINGER

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